

TO: STR Subcommittee

FROM: Polly McLean and Cameron Platt, Town Attorneys

DATE: March 27, 2023

Re: Rentals of IADUs

There was a question whether homes with a IADU could be rented as a Short Term Rental. Brighton Code prohibits this use. If there is an IADU as part of a dwelling, the home can only be rented long term if the primary owner lives in the house. (19.15.060) STR use is not permitted in a home with an IADU. (19.15.110). Therefore, the options for a home with an IADU are i) owner lives in the main home and rents out the IADU monthly (the primary owner could chose to live in the IADU and rent out the rest of the home monthly) or, ii) rent out the entire home either monthly or as a STR (there can be only one user of the entire property).

There are also a few homes in Brighton which have a second kitchen. In order to get a building permit which would allow for the second kitchen, the owners had to sign an affidavit that the area with the kitchen was part of the single family home and wouldn't be used as a separate dwelling and that the entire home could be used by a family. Therefore, homes with two kitchens would not be permitted to be used as a STR unless the entire home was rented out.